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Attorneys for: Material Witness PEDRO NIETO-ROJAS

**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GERARDO SALTO-ROCHA (1),

JOSE HERNANDEZ-RIVAS (2),

Defendants.

Criminal Case No. 08 cr 2430-BTM
 Mag. Docket No. 08 mj 2098

**APPLICATION FOR AN ORDER
 SHORTENING TIME TO HEAR
 MATERIAL WITNESS PEDRO NIETO-
 ROJAS'S MOTION FOR VIDEO
 DEPOSITION AND RELEASE**

JUDGE: Hon. Barry Ted Moskowitz
 CRTRM: 15, Fifth floor

DATE: August 15, 2008
 TIME: 2:30 p.m.

PEDRO NIETO-ROJAS ("NIETO") hereby applies for an Order Shortening Time in which to hear his Motion for Video Deposition and Release. The Memorandum of Points and Authorities in support of the Motion, filed herewith, demonstrates the hearing of the Motion on shortened time is necessary; specifically, that NIETO has been incarcerated since July 8, 2008 and has no hope of obtaining a surety to post his bond.

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1 Dated: August 11, 2008

Mayfield & Associates

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3 By: /s/ Gayle Mayfield-Venieris
4 Gayle Mayfield-Venieris, Esq.
5 Attorney for Material Witness
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PROOF OF SERVICE VIA E-FILE
[Fed. R. Civ. Pro. 4, Local Rule 5]

I, Melissa L. Bustarde, declare as follows:

1. I am over eighteen years of age and not a party to the above-referenced action; my business address is 462 Stevens Avenue, Suite 303, Solana Beach, CA 92075-2066. I am employed in San Diego County, California.

2. On August 11, 2008, I filed the aforementioned document on the Court's CM/ECF system in Case No. 08 mj 2098/08 cr 2430-BTM. The following counsel were electronically served with the aforementioned document via the CM/ECF system pursuant to Local Rule 5.4(c):

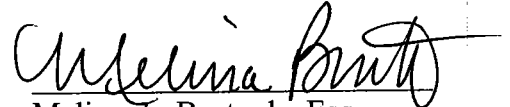
- **Motion to Shorten Time**
- **Notice of Motion and Motion to take deposition by Video**
- **Points and Authorities in Support of Motion for Video Deposition**

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David L. Baker, Esq.
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I declare under penalty of perjury under the laws of the United States, State of California
that the foregoing is true and correct and that this declaration was executed on August 11, 2008.


Melissa L. Bustarde, Esq.
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